

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROBERT G. SIMS,

Plaintiff,

v.

CITY OF CHARLEVOIX,

Defendant.

Case No. 1:22-cv-821

HON. JANE M. BECKERING

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OPINION AND ORDER

Plaintiff, proceeding pro se and in forma pauperis, initiated this action on September 6, 2022. On September 8, 2022, the Magistrate Judge issued a Report and Recommendation (R&R), recommending that the action be dismissed upon initial screening pursuant to 28 U.S.C. § 1915(e)(2)(B). The matter is presently before the Court on Plaintiff's objections to the Report and Recommendation (ECF No. 7). Plaintiff has also since filed a Motion to Supplement (ECF No. 9) and a Motion for Joinder (ECF No. 11). In accordance with 28 U.S.C. § 636(b)(1) and FED. R. CIV. P. 72(b)(3), the Court has performed de novo consideration of those portions of the Report and Recommendation to which objections have been made. The Court denies the objections, dismisses the motions as moot, and issues this Opinion and Order.

The Magistrate Judge determined that Plaintiff's vague and unsubstantiated legal conclusions were insufficient to state a claim and that Plaintiff lacks standing to prosecute his various claims of corruption. Plaintiff's objection fails to demonstrate any factual or legal error in the Magistrate Judge's analysis. Therefore, the Court will approve and adopt the Report and

Recommendation as the Opinion of the Court. Further, a Judgment will be entered consistent with this Opinion and Order. *See* FED. R. CIV. P. 58. Last, consistent with the Report and Recommendation, this Court also certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this Judgment would not be taken in good faith. *See McGore v. Wrigglesworth*, 114 F.3d 601, 610-11 (6th Cir. 1997), overruled on other grounds by *Jones v. Bock*, 549 U.S. 199, 206, 211-12 (2007). Accordingly:

IT IS HEREBY ORDERED that the Objections (ECF No. 7) are DENIED and the Report and Recommendation of the Magistrate Judge (ECF No. 5) is APPROVED and ADOPTED as the Opinion of the Court.

IT IS FURTHER ORDERED that the Complaint (ECF No. 1) is DISMISSED pursuant to 28 U.S.C. § 1915(e)(2)(B) for the reasons stated in the Report and Recommendation.

IT IS FURTHER ORDERED that the Motion to Supplement (ECF No. 9) and Motion for Joinder (ECF No. 11) are DISMISSED as moot.

IT IS FURTHER ORDERED that this Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this decision would not be taken in good faith.

Dated: October 24, 2022

/s/ Jane M. Beckering
JANE M. BECKERING
United States District Judge